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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/759,585

01/15/2004

Gary Wayne Bagnall

37370-32

7985

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EXAMINER

ROWAN, KURT C

ART UNIT

PAPER NUMBER

3643

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GARY WAYNE BAGNALL and MARK H. ROSE

Application 10/759,585
Technology Center 3600

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on March 29, 2008. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

REPLY BRIEF

On January 30, 2007, a Reply Brief was filed by Appellants in response to the Examiner's Answer mailed November 30, 2006. A review of the record reveals that the Reply Brief has not been considered or acknowledged by the Examiner. Consideration and acknowledgment of the Reply Brief is required.

CONCLUSION

Accordingly, it is
ORDERED that the application is returned to the Examiner:
 (1) to consider and acknowledge the Reply Brief filed
January 30, 2007; and
 (2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

DALE M. SHAW
Chief Appeals Administrator
(571) 272-9797

DMS/hh

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